



Legal Protection for Victims of Domestic Violence in Indonesia

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<p>Article History Received : 2025-04-4 Revised: 2025-05-11 Published: 2025-05-30</p> <p>Keywords: <i>Legal Protection;</i> <i>Domestic Violence;</i> <i>Victims</i></p>	<p>Domestic violence (DV) is a form of human rights violation that remains prevalent in Indonesia. Legal protection for victims of domestic violence has been regulated in various laws and regulations, but its implementation still faces a number of obstacles. This article aims to analyze the forms of legal protection provided to victims of domestic violence in Indonesia and examine the extent to which these regulations are effectively implemented. This research uses a qualitative method with a normative juridical approach sourced from secondary data in the form of laws, journals, and relevant literature. The results of this study indicate that despite the existence of an adequate legal framework, challenges in the form of a patriarchal culture, a lack of understanding among law enforcement officials, and limited access to protection services are the main obstacles to providing optimal protection for victims.</p>

I. INTRODUCTION

Everyone certainly desires a harmonious household; it should serve as a sanctuary, a place of mutual support, and a place where happiness can flourish. However, the fact is that many cases of domestic violence occur on the other side of the spectrum. This violence has long existed in Indonesian society. Frequently occurring domestic violence (KDRT) is one of the most severe types of human rights violations and remains a significant problem in many countries, including Indonesia.(Suteja & Muzaki, 2020).

Types of domestic violence include physical, psychological, sexual, or spiritual abuse, as well as economic neglect that causes suffering for the victim. Domestic violence usually occurs between husbands and wives, but it can also occur between husbands and children. Many victims of domestic violence still struggle to obtain adequate legal protection, despite widespread recognition of the phenomenon. Victims lack an adequate understanding of their rights and lack adequate access to legal and social services. This lack of awareness is one of the greatest challenges victims face.(Husna et al., 2022).

Law No. 23 of 2004 concerning the Elimination of Domestic Violence regulates legal protection for victims of domestic violence. Its implementation in the field often encounters challenges from law enforcement, patriarchal culture, and the availability of support services for victims. This research will further explore how legal protection is provided to victims of domestic violence in Indonesia.(Kiftiyah, 2019).

This study not only discusses existing legal regulations but also explores the difficulties in implementing them, as well as options for improving legal protection for victims. Legal protection for victims of domestic violence is crucial not only to provide justice but also to ensure that victims recover physically, mentally, and socially and avoid recurrence of the cycle of violence. Furthermore, structural barriers within the Indonesian legal system exacerbate the plight of victims of domestic violence.(Domestic Violence & Limbeng, nd)Victims often do not report their violence due to fear of the perpetrator, who may have power or authority within their family, shame, and a lack of security after reporting. Victims face greater difficulty in obtaining the justice and protection they need due

to lengthy and arduous legal processes and a lack of support services.

This research focuses on a comprehensive examination of legal protection for victims of domestic violence in Indonesia. The aim is to assess the effectiveness of the Domestic Violence Law and identify barriers to its implementation. Furthermore, the research explores various ways to improve legal protection, including more progressive legal policies, victim empowerment, and increased public awareness. It is hoped that a comprehensive analysis will lead to better protection of the rights of victims of domestic violence and ensure that existing laws are effectively implemented.

II. RESEARCH METHODS

In this paper, a qualitative research method is used with a normative juridical approach sourced from secondary data in the form of laws, journals, and relevant literature.(Sugiyono, 2016).

III. RESULTS AND DISCUSSION

This study reveals several important findings regarding domestic violence (DV) cases in Indonesia, including quantitative data on cases, access to legal protection, the role of law enforcement officials, and the effectiveness of implementing Law No. 23 of 2004 concerning the Elimination of Domestic Violence. These findings were obtained through literature studies, interviews, and field observations of victims and institutions involved in handling DV cases.

A. High Rates of Domestic Violence

Data collected from various sources shows that domestic violence remains a deeply concerning phenomenon in Indonesia. According to the NGO Mitra Perempuan, there were 14,802 cases of domestic violence in 2004, rising to 21,207 cases in 2005, a 24% increase in just one year. Data from the Ministry of Women's Empowerment and Child Protection (KPPPA) also shows high figures: 24,325 cases of violence against women were reported between 2019 and September 2020.(Nurjayanti, 2022).

Furthermore, between January 1, 2022, and February 14, 2023, 3,173 cases of domestic

violence were recorded, with the majority of victims being women (85%). Meanwhile, in the first half of 2024 alone, the Ministry of Women's Empowerment and Child Protection recorded 15,459 cases of violence, with domestic violence again being the highest category. These statistics illustrate that domestic violence is not merely sporadic but has become a structural problem that requires systemic and ongoing intervention.(Putri, 2023).

B. Access to Legal Protection Remains Limited

Despite a relatively comprehensive legal framework, victims' access to legal protection still faces various obstacles. Many victims of domestic violence do not report their cases due to ignorance of their legal rights, fear of the perpetrator, or concern about the social stigma they may face. Economic dependence, pressure from family, and minimal support from their social environment also contribute to victims' reluctance to seek legal assistance.(Napitupulu, 2014).

In fact, normatively, victims of domestic violence in Indonesia have access to various legal channels, such as contacting emergency services (hotline 110), reporting to the police (sector/regency/regional police), or through legal aid institutions and other social institutions. Law No. 23 of 2004 concerning the Elimination of Domestic Violence explicitly provides protection to victims, reinforced by other laws and regulations such as the 1945 Constitution and the Human Rights Law.

C. The Role of Law Enforcement Officials and Protection Institutions

Law enforcement officers, in this case the police and prosecutors, as well as women's and children's protection institutions, play an important role in handling and following up on reports of domestic violence.(Dwinugroho et al., 2019). Republic of Indonesia National Police Regulation Number 8 of 2009, for example, provides guidelines for handling domestic violence cases, including the rights of victims to receive physical protection, medical and psychological assistance, and compensation for losses suffered.

Institutions such as the Ministry of Women's Empowerment and Child Protection (KPPPA), the Women's Empowerment Service at the regional level, as well as non-governmental organizations such as crisis centers and safe houses (shelters), have played an active role in providing assistance to victims.(Suryamizon, 2017)However, the availability and reach of these services are not evenly distributed, especially in remote and rural areas.

D. Implementation of Law No. 23 of 2004 is Still Weak

Although Law No. 23 of 2004 comprehensively regulates the elimination of domestic violence and protection for victims, its implementation in the field is far from optimal. Many victims feel that the legal process favors the perpetrators due to complicated bureaucracy, long processing times, and a lack of sensitivity among law enforcement officials to the trauma and psychological well-being of victims.(Nahor, 2025).

Furthermore, the tendency to resolve cases through family means or mediation without considering the safety and justice of the victims is also problematic. This raises concerns that legal mechanisms, which should protect victims, are actually hindering them from receiving proper justice.

E. Domestic Violence (DV) and Efforts to Address It in Indonesia

Domestic violence (DV) is a complex issue that involves legal, social, cultural, psychological, and economic aspects. Law Number 23 of 2004 concerning the Elimination of Domestic Violence defines DV as any act against a person, especially women, that results in physical, sexual, psychological misery or suffering, and/or neglect of the household, including threats, coercion, or unlawful deprivation of liberty within the household.(Setiawan et al., 2023).

This violence can take the form of physical, psychological, sexual, and domestic neglect. Physical violence includes acts that cause pain or serious injury; psychological violence is characterized by intimidation, fear, and loss of self-confidence of the victim; sexual violence occurs

when there is forced sexual relations, either against a partner or for commercial purposes; while domestic neglect includes neglect of the necessities of life, protection, and care that should be provided, including restrictions on economic and employment access. The scope of the household in this law includes husband, wife, children, relatives by blood or marriage, and other people who live together and are socially and economically dependent.(Rusmini, 2021).

The effectiveness of law enforcement against domestic violence still faces many challenges. Based on Soejono Soekanto's approach to law enforcement theory, legal effectiveness is greatly influenced by factors such as legal substance, law enforcement officers, supporting facilities or infrastructure, public legal awareness, and the prevailing legal culture.(Soejono & Abdurrahman, 1999)In the field, many victims, especially women, are reluctant to report violence due to shame, fear, family pressure, economic dependence, and cultural or religious beliefs that require women to submit to men. The deeply rooted patriarchal culture also influences the unequal power relations between men and women, making women more vulnerable to victimization.

Various factors contribute to domestic violence, including psychological factors (emotional disturbances and anger), social (economic pressure, unemployment), cultural (patriarchal culture and traditional values), environmental (crime, access to weapons or drugs), individual (lack of self-control and empathy), and family history (past experiences of domestic violence). Domestic violence also has a significant impact on the mental health of victims, including triggering severe depression, post-traumatic stress disorder (PTSD), and anxiety disorders that can disrupt daily activities and significantly reduce quality of life. In some cases, victims even show symptoms of wanting to end their lives because they feel trapped in a situation with no way out.(Setiawan et al., 2023).

There are various obstacles in handling domestic violence victims in Indonesia. Victims are often afraid to report violence due to threats from the perpetrator, lack of alternative housing, economic dependence on the perpetrator, or lack

of strong evidence for not reporting immediately. Psychological barriers such as guilt, hope that the perpetrator will change, or concern for their children also often prevent victims from taking action. An unsupportive social environment and a lack of empathetic response from law enforcement officers also exacerbate this situation.(Nurjayanti, 2022).

As a remedy, it is crucial to increase public education and awareness through campaigns on gender equality and human rights. The public must be educated that violence, in any form, is unacceptable, especially in what should be a safe haven like the home. Strengthening victim services, such as providing safe housing, psychological services, and legal aid, is crucial in providing real protection to victims.(Irianti, 2020).

On the other hand, reforms in the implementation of the Domestic Violence Law are needed to ensure that law enforcement is not merely symbolic. Many domestic violence cases are resolved amicably without appropriate punishment for the perpetrators, thus opening up the possibility of recurrence of violence. Training law enforcement officers with a gender-based approach and trauma-informed care is urgently needed so they can fully understand the victims' circumstances and provide fair and humane services.(Sopacua, 2024).

Equally important is rehabilitation for perpetrators of domestic violence. Therapy programs such as cognitive behavioral therapy can help change perpetrators' thought patterns and behaviors, thereby reducing the likelihood of recurrence. Addressing domestic violence doesn't stop at protecting victims; it also needs to be balanced with a corrective approach to the perpetrator to create a safer, healthier, and more equitable home environment in the long term.(Sanda et al., 2020).

By taking these various aspects into account, it is hoped that policies and implementation in dealing with domestic violence in Indonesia can be more effective and oriented towards justice and the welfare of all parties in the household, especially for those who are most vulnerable to becoming victims of violence.

IV. CONCLUSION AND SUGGESTIONS

A. Conclusion

Domestic violence (DV) is a serious violation of human rights that has a wide impact on the physical, psychological, and social well-being of victims. Although Indonesia has a legal framework in the form of Law Number 23 of 2004 concerning the Elimination of Domestic Violence (PKDRT), its implementation in the field still faces many obstacles. The high rate of domestic violence in Indonesia is caused by various factors, including victims' lack of knowledge of their rights, the dominance of patriarchal culture, fear of perpetrators, and weak legal and social support systems. Law enforcement officials also often lack sensitivity in handling domestic violence cases, while victims face a complex and exhausting legal process. Structural barriers such as economic dependence on perpetrators and minimal support from the community exacerbate the victims' situation.

B. Suggestion

To address the complexity of domestic violence in Indonesia, strategic and comprehensive measures are needed, including reforms in law enforcement and increased public awareness. The government needs to strengthen the implementation of the Domestic Violence Law by ensuring that law enforcement officers are trained in gender- and trauma-sensitive approaches. Furthermore, a massive public education effort is needed to ensure the public understands the definition and forms of domestic violence, as well as the importance of reporting cases of violence. Support for victims must also be increased through easy access to psychological, legal, and social protection services, including economic empowerment, so that victims are not dependent on the perpetrator. Cross-sectoral collaboration between the government, civil society organizations, and local communities is crucial to establishing a responsive, equitable protection system that ensures long-term recovery for victims of domestic violence.

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